

DISCLOSURE DIVISION

☐ WAIVER REQUEST
☒ ANSWER
☐ RECONSIDERATION REQUEST
☐ UNTIMELY

DATE: 6/23/2021

DOCKET #: 2021-550

Ashley Wimberley, Director
Disclosure Division

FILER INFORMATION

Name: Robert "Rob" P. Ackerman
Address: 308 Green Acres Road, Metairie, LA 70008
Office/Position: Judiciary Commission of Louisiana
of Disclosures/Amendments Filed with Agency: 0
Years Covered: N/A
Final Report: N/A

REPORT INFORMATION

Name of Report: Tier 2.1 Annual Personal Financial Disclosure covering calendar year 2019
Original Due Date: 7/6/2020
NOD Received: 5/15/2021
NOD Signed by: Agent/Mail Carrier
PFD/Answer Due Date based on NOD: 5/25/2021
PFD/Answer Filed: 5/21/2021

LATE FEE INFORMATION

Amount of Late Fee: \$
Days late from receipt of NOD:
Total days late from initial due date:
Late Fee Order Received:
Payment/Waiver Request Due Date:
Waiver Request Received:

COMMENTS:

Mr. Ackerman stated the Judiciary Commission evaluates, investigates, and litigates complaints of ethical misconduct against state court judges and other judicial officers and makes recommendation of public discipline to the Louisiana Supreme Court Louisiana Constitution Article V, Section 25(C), Louisiana Supreme Court Rule XXIII.

The Judiciary Commission is also involved in the enforcement of the financial disclosure requirements applicable to state court judges and no incumbent candidates for elective judicial office pursuant to Louisiana Supreme Court Rules XXXIX and XL and makes recommendations to the Supreme Court concerning the imposition of monetary penalties in such cases. The Judiciary Commission is not part of the executive branch of state government and does not exercise the legislative functions of a political subdivision. The Judiciary Commission does not have any authority to expend funds and is funded by the Louisiana Supreme Court, and all of the Commission's expenditures are authorized by the Court. Pursuant to Louisiana Revised Statutes § 42:1124.2. 1A(l), only members of boards and commissions that have the authority to expend disburse or invest ten thousand dollars or more in a fiscal year are required to file a Tier 2.1 Personal Financial Disclosure Statement. Additionally, he was informed that, in the past, most recently with respect to former Commission Member Len Ciaravella in May 2013, the Board of Ethics rescinded his Notice of Delinquency. He respectfully requests that the Board do the same here

OTHER LATE FEE INFORMATION

Disclosure Statements:

- Other Outstanding Statements: No
- Other Outstanding Late Fees: No
- Prior Late Fees: No
- Reassessed Late Fees: No

Campaign Finance:

- Outstanding Late Fees: No
- Prior Late Fees: No

ROBERT P. ACKERMAN
308 Green Acres Road
Metairie, LA 70003

May 21, 2021

**BY FAX TO (225) 381-7271
AND BY CERTIFIED MAIL
RETURN RECEIPT REQUESTED
NO. 7020 0640 0000 9387 0271**

Louisiana Board of Ethics
Attn: Lisa Ford, Compliance Officer
Post Office Box 4368
Baton Rouge, Louisiana 70821

**Re: Robert P. Ackerman
Personal Financial Disclosure Statement covering 2019**

Dear Ms. Ford:

This letter is submitted in response to the Notice of Delinquency issued to me by your letter of April 23, 2021, which I received on May 18, 2021. The Notice states that I am required to file a Tier 2.1 Personal Financial Disclosure Statement covering 2019.

I am a member of the Judiciary Commission of Louisiana, which is part of the judicial branch of state government. For the reasons that follow, I respectfully contend that I am not subject to the financial disclosure requirements referred to in the Notice of Delinquency and consequently, that I am not required to file a Tier 2.1 Personal Financial Disclosure Statement for any part of my term as a member of the Judiciary Commission.

The Judiciary Commission evaluates, investigates, and litigates complaints of ethical misconduct against state court judges and other judicial officers and makes recommendations of public discipline to the Louisiana Supreme Court. Louisiana Constitution Article V, Section 25(C); Louisiana Supreme Court Rule XXIII. The Judiciary Commission is also involved in the enforcement of the financial disclosure requirements applicable to state court judges and non-incumbent candidates for elective judicial office pursuant to Louisiana Supreme Court Rules XXXIX and XL and makes recommendations to the Supreme Court concerning the imposition of monetary penalties in such cases.

The Tier 2.1 reporting requirements apply to members of boards and commissions in the executive branch of state government and to boards and commissions created by the constitution, by law, by a political subdivision, or jointly by two or more political subdivisions as a governing authority of a political subdivision of the state or of a local government. Louisiana Revised Statutes § 42:1124.2.1D. The term "governing authority" is defined as "the body which exercises the legislative functions of a political subdivision." Louisiana Revised Statutes § 42:1102(11). *See also* the definition of the term "Board or Commission" contained in the General Information section of the instructions that accompany the Tier 2.1 reporting form on the Board's web site.

ETHICS BOARD REC'D
MAY 27 '21 PM 1:36

Louisiana Board of Ethics
May 21, 2021
Page 2

The Judiciary Commission is not part of the executive branch of state government and does not exercise the legislative functions of a political subdivision.

Moreover, while the Judiciary Commission is created by the constitution, it does not have any authority to expend funds. The Judiciary Commission is funded by the Louisiana Supreme Court, and all of the Commission's expenditures are authorized by the Court. Pursuant to Louisiana Revised Statutes § 42:1124.2.1A(1), only members of boards and commissions that have the authority to expend, disburse or invest ten thousand dollars or more in a fiscal year are required to file a Tier 2.1 Personal Financial Disclosure Statement.

Accordingly, I respectfully contend that I am not required to file a Tier 2.1 Personal Financial Disclosure Statement for any part of my term as a member of the Judiciary Commission.

Additionally, I am informed that, in the past, most recently with respect to former Commission member Len Ciaravella in May 2013, the Board of Ethics rescinded the Notice of Delinquency. I respectfully request that the Board do the same here.

Please note that the zip code for my mailing address is 70003.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert P. Ackerman", followed by a horizontal line.

Robert P. Ackerman



STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS

P. O. BOX 4368
BATON ROUGE, LA 70821
(225) 219-5600
FAX: (225) 381-7271
1-800-842-6630
www.ethics.la.gov

CERTIFIED MAIL

NO. 70200090000066037497

RETURN RECEIPT REQUESTED

April 23, 2021

Robert "Rob" P. Ackerman
308 Green Acres Road
Metairie, LA 70008

RE: NOTICE OF DELINQUENCY - FAILURE TO FILE
Statement covering 2019 (originally due on July 6, 2020)
Judiciary Commission of Louisiana

Dear Robert "Rob" P. Ackerman:

Pursuant to La. R.S. 42:1124.4, if a person fails to file a Personal Financial Disclosure Statement as required by 42:1124, 1124.2, 1124.2.1, or 1124.3; omits information; or files inaccurately, a Notice of Delinquency shall be issued. A review of our records indicates that we have not received your Personal Financial Disclosure Statement.

You have 7 business days from the date of receipt of this Notice to file your Tier 2.1 Personal Financial Disclosure Statement covering 2019, which was originally due on July 6, 2020, or to submit an Answer explaining why you feel you are not required to file a Personal Financial Disclosure Statement. Failure to file a Personal Financial Disclosure Statement or an Answer within the 7 business days will subject you to an automatic late fee of \$50 per day up to a maximum of \$1,500. Proof of timely filing is determined by the U.S. Postal Service postmark; commercial delivery service; fax, upload, or electronic filing confirmation date stamp.

The form for the Tier 2.1 Personal Financial Disclosure Statement (Form 417) is available on the Louisiana Board of Ethics website at www.ethics.la.gov. If you have any questions, you may contact me at 225/219-5600 or 800/842-6630.

Sincerely,

Lisa Ford
Program Compliance Officer

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

ETHICS BOARD REC'D
MAY 17 '21 PM 3:03

Robert "Rob" P. Ackerman
808 Green Acres Road
Metairie, LA 70008



497

7020 0090 0000 6603 7497

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

[Handwritten Signature]

☐ Agent

☐ Addressee

B. Received by (Printed Name)

[Handwritten Signature]

C. Date of Delivery

5/15/21

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

LF

2019 - Apr

Service Type

☐ Adult Signature

☐ Adult Signature Restricted Delivery

☒ Certified Mail®

☐ Certified Mail Restricted Delivery

☐ Collect on Delivery

☐ Delivery Restricted Delivery

☐ Restricted Delivery

(over \$500)

☐ Priority Mail Express®

☐ Registered Mail™

☐ Registered Mail Restricted Delivery

☐ Return Receipt for Merchandise

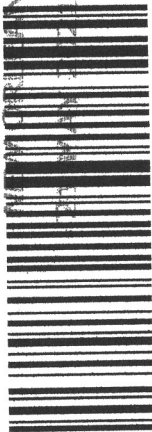
☒ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery

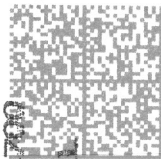
The Judiciary Commission of Lo
400 ROYAL STREET, SUITE 1213
New Orleans, LA 70130-8145

CERTIFIED MAIL®

NEW ORLEANS LA 700



7020 0640 0000 9387 0271



U.S. POSTAGE >>> PITNEY BOWES
ZIP 70130 \$ 006.96°
02 4W
0000373613 MAY 21 2021

Louisiana Board of Ethics
Attn: Lisa Ford, Compliance Officer
P O Box 4368
Baton Rouge, LA 70821

70821-4368

